

Regular Session, 2009

HOUSE BILL NO. 495

BY REPRESENTATIVE DIXON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EDUCATION ACCOUNTABILITY: Exempts a school that meets specified criteria from being transferred to the Recovery School District

1 AN ACT

2 To amend and reenact R.S. 17:10.5(A)(1) and to enact R.S. 17:10.5(F), relative to school
3 and district accountability; to exempt a school that meets specified criteria from
4 being transferred to the Recovery School District; to provide for effectiveness; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:10.5(A)(1) is hereby amended and reenacted and R.S. 17:10.5(F)
8 is hereby enacted to read as follows:

9 §10.5. School and district accountability; failing schools; transfer to Recovery
10 School District; exceptions

11 A.(1) ~~An~~ Except as provided in Subsection F of this Section, an elementary
12 or secondary school operating under the jurisdiction and direction of any city, parish,
13 or other local public school board or any other public entity which is academically
14 unacceptable under a uniform statewide program of school accountability established
15 pursuant to rules adopted by the State Board of Elementary and Secondary Education
16 under authority of law, referred to in this Section as "the state board", shall be
17 designated as a failed school. When a city, parish, or other local public school board
18 or other public entity: (a) fails to present a plan to reconstitute the failed school to
19 the state board, as required pursuant to such an accountability program, or (b)
20 presents a reconstitution plan that is unacceptable to the state board, or (c) fails at

any time to comply with the terms of the reconstitution plan approved by the state board, or (d) the school has been labeled an academically unacceptable school for four consecutive years, the school shall be removed from the jurisdiction of the city, parish, or other local public school board or other public entity and transferred to the jurisdiction of the Recovery School District established in R.S. 17:1990, provided the state board approves the transfer.

* * *

F. No school shall be removed from the jurisdiction of a city, parish, or other local public school board or other public entity and transferred to the jurisdiction of the Recovery School District if such school meets all of the following criteria:

(1) The school is a high school located in any parish having a population between one hundred twenty thousand and one hundred forty-five thousand persons according to the latest federal decennial census.

(2) According to the 2007-2008 Louisiana School Directory published by the state Department of Education, the total number of students enrolled in the school was three hundred thirteen.

(3) In August 2008, the school received a label of "academically unacceptable" for the fourth consecutive year pursuant to the school and district accountability system.

(4) In February 2009, the school was approved by the State Board of Elementary and Secondary Education to remain under the jurisdiction of and be operated by the local school board pursuant to a memorandum of understanding between the state Department of Education and the local school board.

(5) The school had a school performance score of twenty-two point four in 2008 pursuant to the school and district accountability system.

Section 2. This Act shall become effective on June 25, 2009; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 25, 2009, or on the day following such approval by the legislature, whichever is later.

- 1 Section 3. The provisions of R.S. 17:10.5(F) as enacted by this Act shall be null,
2 void, and of no effect on and after July 1, 2010, unless reenacted or modified by the
3 legislature prior to such date.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Dixon

HB No. 495

Abstract: Exempts a school that meets specified criteria from being removed from the jurisdiction of the local school board and transferred to the Recovery School District.

Present law provides for the transfer to the Recovery School District (RSD), subject to approval by the State Board of Elementary and Secondary Education (BESE), of schools that have been labeled academically unacceptable for four consecutive years or failed schools for which the local school board has failed to present or implement an acceptable reconstitution plan under the school accountability program established pursuant to BESE policy. Further provides relative to the operation of a failed school by the RSD to bring the school to an acceptable level of performance, procedures for retaining jurisdiction of a transferred school by RSD, and options for parents in enrolling their children in a transferred school or other school. Requires BESE annually to report to the House and Senate education committees relative to the status of certain schools, including those transferred to RSD.

Proposed law retains present law but exempts a school from being removed from the jurisdiction of the local school board and transferred to RSD if the school meets all of the following criteria:

- (1) The school is a high school located in any parish having a population between 120,000 and 145,000 persons.
- (2) According to the *2007-2008 Louisiana School Directory* published by the state Dept. of Education, the total number of students enrolled in the school was 313.
- (3) In August 2008, the school received a label of "academically unacceptable" for the fourth consecutive year.
- (4) In February 2009, the school was approved by BESE to remain under the jurisdiction of and be operated by the local school board pursuant to a memorandum of understanding between the state Dept. of Education and the local school board.
- (5) The school had a school performance score of 22.4 in 2008.

Provides that proposed law shall be null, void, and of no effect on and after July 1, 2010, unless reenacted or modified by the legislature prior to such date.

Effective June 25, 2009.

(Amends R.S. 17:10.5(A)(1); Adds R.S. 17:10.5(F))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Education to the original bill.

1. Adds that proposed law shall be null, void, and of no effect on and after July 1, 2010, unless reenacted or modified by the legislature prior to such date.